

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MasterMine Software, Inc.,

Court File No. _____

Plaintiff,

v.

COMPLAINT AND JURY DEMAND

Microsoft Corporation,

Defendant.

MasterMine Software, Inc. (“MasterMine”), by and through its undersigned counsel, for its Complaint against Microsoft Corporation (“Microsoft”), states the following.

THE PARTIES

1. MasterMine is a corporation organized under the laws of the State of Minnesota and has its principal place of business at 4200 Toledo Avenue South, Minneapolis, Minnesota 55416.
2. On information and belief, Microsoft is a corporation organized under the laws of the State of Washington, with its principal place of business located at One Microsoft Way, Redmond, Washington 98052, and is doing business in this judicial district and elsewhere. On information and belief, Microsoft also has places of business located at 3601 West 76 Street, Minneapolis, Minnesota 55435; 8300 Norman Center Drive, Bloomington, Minnesota 55437; and in the Mall of America, 162 South Avenue, Bloomington, Minnesota 55425.

JURISDICTION AND VENUE

3. This is an action for patent infringement, arising under the patent laws of the United States, 35 U.S.C. § 1 *et. seq.*, including without limitation 35 U.S.C. § 271 and 281. This Court has exclusive jurisdiction over such actions under 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has general and specific personal jurisdiction over Microsoft at least because Microsoft has places of business in Minnesota. This Court further has jurisdiction over Microsoft at least because it systematically and continuously transacts business in Minnesota, including the sale of infringing products.

5. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b) because infringement by Microsoft has occurred in this district. Venue is also proper pursuant to 28 U.S.C. §§ 1391(b) and 1391(c) since a substantial part of the events giving rise to the claims occurred in this district, and Microsoft does business in this district and is subject to personal jurisdiction in this district.

PATENT INFRINGEMENT

6. MasterMine is the owner of United States Patent Nos. 7,945,850 (“the ’850 patent”) and 8,429,518 (“the ’518 patent”), both of which are titled “Data Mining and Reporting.” The ’850 patent issued on May 17, 2011. A true and correct copy of the ’850 patent is attached hereto as Exhibit A.¹ The ’518 patent issued on April 23, 2013.

¹ On April 17, 2013, MasterMine filed a request with the Patent Office for a certificate of correction addressing a typographical error in the ’850 patent. A true and correct copy of that request is attached hereto as Exhibit B.

A true and correct copy of the '518 patent is attached hereto as Exhibit C. The '850 and '518 patents are hereinafter collectively referred to as "the patents-in-suit."

7. The patents-in-suit relate generally to the interface between customer relationship management (CRM) and spreadsheet software applications. The patents disclose and claim novel methods and systems that mine data from CRM databases and automatically generate spreadsheet pivot tables presenting the potentially voluminous CRM data in useful summary reports.

8. On information and belief, Microsoft has made, used, sold, and offered for sale computer software that directly infringes, either literally or under the doctrine of equivalents, one or more claims of the patents-in-suit, including its Microsoft Dynamics CRM, Microsoft Excel, and Microsoft Office products.

9. On information and belief, Microsoft has further induced or contributed to the infringement of one or more claims of the patents-in-suit by others, including by the use of the "Export to Excel" feature of Microsoft Dynamics CRM. On information and belief, the "Export to Excel" feature includes options for creating a "Dynamic PivotTable" in a Microsoft Excel worksheet, using MasterMine's patented methods and systems. On information and belief, the "Dynamic PivotTable" feature in Microsoft Dynamics CRM is specifically designed to perform the methods claimed in the patents-in-suit, and is not a staple article of commerce suitable for substantial non-infringing uses. Further, on information and belief, Microsoft provides detailed instructions directing users to operate the "Export to Excel" feature of Microsoft Dynamics CRM to

create pivot tables within Excel worksheets in the manner disclosed and claimed by the patents-in-suit.

10. MasterMine has been and continues to be irreparably harmed, and has suffered and continues to suffer damages as a result of Microsoft's infringement of the patents-in-suit. MasterMine is entitled to recover damages that adequately compensate it for the infringement in an amount to be determined at trial, which cannot by law be less than a reasonable royalty.

11. On information and belief, Microsoft's infringing conduct will continue to harm MasterMine's business unless and until such conduct is enjoined by the Court.

JURY DEMAND

12. MasterMine requests a trial by jury.

PRAAYER FOR RELIEF

13. MasterMine respectfully requests that the Court enter judgment in its favor and against Microsoft as follows:

- A. An entry of judgment that Microsoft has directly and indirectly infringed the '850 and '518 patents, either literally or under the doctrine of equivalents;
- B. A permanent injunction against Microsoft's further infringement of the patents-in-suit;
- C. An award of damages adequate to compensate MasterMine for Microsoft's infringement, together with prejudgment interest from the date the infringement began;

- D. An award of any other damages permitted under 35 U.S.C. §§ 284 and 285; and
- E. Such other and further relief that this Court or a jury may deem just and proper.

Dated: April 25, 2013

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